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ATTORNEY FOR DEFENDANT BLAINE COOPER

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON
PORTLAND DIVISION**

**UNITED STATES OF AMERICA,
Plaintiff,**

vs.

**BLAINE COOPER,
Defendant.**

No. 3:16-CR-00051-BR-17

SENTENCING MEMORANDUM

The defendant, Blaine Cooper, through his attorney, Krista Shipsey, submits this sentencing memorandum in anticipation of the sentencing hearing scheduled for June 12, 2018 at 11:00am.

I. Summary of Defendants Position

Mr. Cooper concurs with the government's recommendation of time served, followed by 2 years of supervised release and the imposition of \$7,000 of restitution. With respect to conditions of supervised release, the defense has no objection to the conditions outlined and recommended by the presentence report, with the exception of special condition #2, which states that the defendant must participate in a mental health treatment program. Mr. Cooper has been on pre-trial release since his release from custody in October 2017. During that time he participated in a mental health assessment and it was determined that he was not in need of any further treatment.

II. Factual Background

On June 16, 2016 Mr. Cooper pled guilty to Count one of the superseding Indictment, charging Conspiracy to Impede Federal Officer by Force, Threat or Intimidation under 18 USC 372. Mr. Cooper was among the first to take responsibility for his actions in the occupation of the Malheur Wildlife Refuge, and became a cooperating witness for the government, testifying in the trial that took place from January 2 through February 11, 2016.

III. Advisory Sentencing Guideline Calculations

The defense accepts the guideline calculations set forth in the presentence report which concludes a total offense level of 11 and a criminal history of 3. (see page 12 of the presentence report) which produces a guideline provision of 12-18 months.

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IV. The parties jointly recommend a sentence of time served. In support of this recommendation the defense has filed supplemental material to provide the court further insight into Mr. Cooper.

V. Mr. Cooper has previously stipulated to a restitution amount of \$7,000. See ECF No. 2259.

RESPECTFULLY SUBMITTED this 5th day of June, 2018.

/s/ Krista Shipsey
Krista Shipsey, OSB #943850
Attorney for Defendant
Blaine Cooper